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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/783,264 Confirmation No. 7316
Applicant : John S. Lovell et al.
Filed : 02/19/04
TG/A.U. : 1755
Examiner : David R. Sample
Docket No. : 04-0220-LOV
Customer No. : 26357

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Typed name of person signing this certificate: Robert M. Hunter

Signature: Robert M. Hunter 42,679

Listing of contents: request under MPEP 710.06

Request under MPEP 710.06

Madam:

MPEP 710.06 provides that "Where the citation of a reference is incorrect or an Office action contains some other error that affects applicant's ability to reply to the Office action and this error is called to the attention of the Office within 1 month of the mail date of the action, the Office will restart the previously set period for reply to run from the date the error is corrected, if requested to do so by applicant."

In the Office action of 12/29/2006, the Examiner relies on 10/681,467 (US 7,048,781) to reject the claims. Application 10/681,467 has not issued as a patent yet. The application number that is printed on US 7,048,781 is 10/681,671.

Applicants' ability to reply is affected because they have already filed the petition that the Examiner is suggesting be filed (and have paid the associated fee). The petition accompanied the amendment to the specification that was transmitted on 08/25/06. The reference required by 35 U.S.C. 120 or 119(e) was made in the last sentence of the amended specification paragraph, not in the first sentence.

The applicants have resubmitted the petition by mailing it to the address suggested by the Examiner. The resubmitted petition is accompanied by an amendment that corrects the typographic error in the first sentence of the amended specification paragraph.

Appl. No. 10/208,635
Request in response to Office action of 12/29/2006

The applicants respectfully request that the Examiner either correct the citation to the reference that is being used to reject the claims or acknowledge that the requirements of 37 CFR 1.78(a)(3) or (a)(6) have been met.

The applicants also respectfully request that the period for reply be reset.

Respectfully submitted,

ROBERT M. HUNTER PLLC

By:

Robert M. Hunter

Date:

01/04/07

Robert M. Hunter
Reg. No. 42,679
Tel.: (808) 885-4194